

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

BONNIE KELLY,

Plaintiff,

vs.

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT, JOHN AND
JANE DOE, 1 - 50;**

Defendants.

8:13CV330

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Motion for Leave to Appeal in Forma Pauperis. (Filing No. 15.) The Court dismissed Plaintiff's claims with prejudice and entered judgment on June 30, 2014. (Filing Nos. 12 and 13.) Plaintiff filed a timely Notice of Appeal on July 25, 2014. (Filing No. 14.) Plaintiff is a non-prisoner who was previously granted leave to proceed in forma pauperis ("IFP") in this matter. (Filing No. 7.) As set forth in Federal Rule of Appellate Procedure 24(a)(3):

(a) Leave to Proceed in Forma Pauperis . . .

(3) Prior Approval. A party who was permitted to proceed in forma pauperis in the district-court action, or who was determined to be financially unable to obtain an adequate defense in a criminal case, may proceed on appeal in forma pauperis without further authorization, unless:

(A) the district court—before or after the notice of appeal is filed—certifies that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis. In that event, the district court must state in writing its reasons for the certification or finding; . . .

The court finds that because Plaintiff proceeded IFP in the district court, she may now "proceed on appeal in forma pauperis without further authorization." Accordingly,

IT IS ORDERED:

1. Plaintiff's Motion for Leave to Appeal in Forma Pauperis (Filing No. 15) is granted; and
2. The Clerk of the court shall provide the Eighth Circuit Court of Appeals with a copy of this Memorandum and Order.

Dated this 30th day of July, 2014.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge